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2 **LEXINGTON LAW GROUP**

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7 Attorney for Debtor,

8 TOA, LLC d/b/a The Owners' Advocate

9 UNITED STATES BANKRUPTCY COURT

10 MIDDLE DISTRICT OF TENNESSEE

11 In re:

) Case No.: 10-01391

) CHAPTER 7

) DATE: [No hearing requested]

12 TOA, LLC d/b/a The Owners' Advocate,

) TIME:

) JUDGE:

) COURTROOM:

13)
14)
15) Debtor.)
16)

17 **EXPEDITED MOTION TO WITHDRAW AS COUNSEL FOR DEBTOR**

18 COMES Michael Shemtoub, Esq., pursuant to Local Rule 9075-1 and moves for an
19 expedited order to withdraw as counsel for Debtor and states as follows:

20 1. On December 11, 2009, the Debtor filed a Chapter 7 bankruptcy case. The first
21 meeting of creditors set for February 1, 2010.

22 2. On February 1, 2010, Wyndham Vacation Resorts, Inc. ("Wyndham"), a creditor in
23 the instant bankruptcy case, filed a motion to transfer the case to the Middle District of
24 Tennessee.

25 3. The motion for change of venue was granted and the case now resides in the Middle
26 District of Tennessee.

27 4. Debtor's attorney, Michael Shemtoub, is not licensed to practice law in the Middle
28 District of Tennessee.

5. Debtor's counsel believes that it is in the best interest of the parties for Debtor's counsel to withdraw as counsel for Debtor.

6. Though Local Rules require a hearing on this matter, Debtor's counsel respectfully requests that this matter be ruled upon without hearing.

7. The Debtor's counsel will give notice to the Chapter 7 Trustee and United States Trustee via the ECF Filing System and give notice to the Debtor and all other parties in interest via First Class United States Mail.

Respectfully submitted:

By: /s/ Michael Shemtoub
Michael Shemtoub
Attorney for Debtor,
TOA, LLC d/b/a The Owners' Advocate

PROOF OF SERVICE

STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

I am employed in the County of Los Angeles, State of California. I am over the age of 18 and not a party to the within action. My business address is 8383 Wilshire Blvd., Suite 702, Beverly Hills, California 90211.

On March, 10 2010, I served the foregoing document described as:

EXPEDITED MOTION TO WITHDRAW AS COUNSEL FOR DEBTOR

on the interested parties in this action by placing a true copy thereof addressed as follows:

Honorable Keith M. Lundin
United States Bankruptcy Court
Middle District of Tennessee
701 Broadway, Room 170
Nashville, TN 37203

TOA, LLC
3905 State St. Suite 341
Santa Barbara, CA 93105

Jeanne Burton Gregory
401 Church St.
Suite 2220
Nashville, TN 37219
Fax: (615)259-3415

Office of the U.S. Trustee
US Trustee
701 Broadway, Suite 318
Nashville, TN 37203-3933

TOA, LLC
3905 State St Suite 341
Santa Barbara, CA 93105

Frakenmuth Insurance
One Mutual Ave
Frakenmuth, MI 48979-0001

ATT
P.O. Box 105262
Atlanta, GA 30348-5362

Gullett Sanford Robinson and Martin PLLC
ATTN Christopher Cardwell
315 Deadrick Street
Suite 1100
Nashville, TN 37238

ATT
P.O. Box 105262
Atlanta, GA 30348-5262

Gullett Sanford Robinson and Martin PLLC
ATTN Trevor Howell
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NES
1214 Church Street
Nashville, TN 37246

IRS
IRS OGDEN UT
Washington, DC 84201-0039

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Nashville, TN 37246

NES
1214 Church Street
Nashville, TN 37246

The Bacon Group, LLC
7978 Coley Davis Road
Nashville, TN 37221

NES
1214 Church Street
Nashville, TN 37246

Wyndham Vacation Resorts, Inc.
8427 South Park Circle
Orlando, FL 32819

☒ **(BY MAIL)** I caused such envelope with postage thereon fully prepaid to be placed in the United States Mail at Beverly Hills, California.

☐ **(BY OVERNIGHT SERVICE)** I caused said envelope(s) with overnight charges prepaid to be placed in the Federal Express Box or United States Mail (Express Mail) at Glendale, California.

☐ **(BY FAX)** I caused a true and correct copy to be transmitted by facsimile to the telephone numbers set forth above.

☐ **(State)** I declare that under penalty of perjury under the laws of the State of California that the above is true and correct.

☒ **(Federal)** I declare that I am employed in the office of a member of the bar of this Court at whose direction the service was made.

Executed on March 10, 2010, at Beverly Hills, California.

/s/ Martha Valencia
Martha Valencia